

**Senate Select Committee on School Safety Hearing on  
“Sexual Orientation, Gender Identity Discrimination and School Safety”  
Plummer Park- Fiesta Hall, West Hollywood  
October 3, 2002**

**Testimony of Peter Simack  
Principal, Marchus School, Contra Costa County Office of Education**

Committee Members,

I am pleased to be able to contribute this testimony today regarding the importance of training for school staff on issues affecting LGBTQ youth.

My name is Peter Simack and I am principal of the Marchus School, which is a small special education program in Concord, CA. Our school functions as an integrated counseling and education program that has been in service for some 20 years and is operated by the Contra Costa County Office of Education. We serve approximately 150 special needs students in grades K-12 who are identified primarily as emotionally disturbed. Counting classified and certificated staff, we total 55 members.

Our path to a coordinated staff development plan on LGBTQ youth issues was not an easy one. It is safe to say that we entered into the area with a great deal of fear and trepidation, with many questions and few answers, but most certainly with many individual opinions of what we should or should not be doing, or allowing to happen on our campus. Due to the small size of our program, as a staff we have often felt that we could easily identify those students who were perhaps questioning their sexual identity or orientation, and Marchus School could usually count on at least one student each year who would present us with those specific harassment and safety issues to address. It should be noted that our LGBTQ students were referred to attend our school because of their educational diagnosis of emotional disturbance, not due to their personal issues of sexual or gender identity. It is important to distinguish this point so that we don't attach additional labels that may be psychologically damaging to children.

In 1999 we were serving the special education needs of one gender identity questioning student in the high school. The following year we accepted two new student referrals into the program, both boys openly identifying as girls, one in high school and one in middle school. Additionally we had another student moving from our elementary program into middle school, questioning his orientation and identity. Given these student situations, we were forced as a staff to confront our differences and reconcile in support of them.

The nature of our program and the types of students we serve typically lead us to be rather closely involved in our students' lives. But how to best support the LGBTQ students was another matter altogether. We could not avoid or ignore the issues and difficulties that some of our students were experiencing. Our counseling team meetings frequently veered off into various philosophical, political and psychological discussions of LGBTQ issues, but we lacked practical knowledge and background. As professional as we considered ourselves to be, we were naïve and ignorant about these issues and we realized that we were probably only scratching the

surface of some of the difficulties that we thought our students might be feeling and experiencing. I believe we were most often simply uncomfortable with these issues, but thankfully our students would not let us avoid them. Our students wanted the freedom to be who they were, to dress as the gender they felt most comfortable, to feel safe and protected from harassment, and still be able to access their educational program. In short they simply wanted to be accepted and feel understood.

Upon the enactment of the AB537 legislation in 2000, our Associate Superintendent, Ray Penning, referred us to a resource who was coordinating and facilitating staff training around these very issues. I delegated the task of contacting this resource to my high school counselor, Candace Hendra, and directed her to begin the development of a plan.

We were introduced to Julie Lienert, at that time connected with the Safe Schools Project of Catholic Charities of the East Bay, who started us off with an introductory or exploratory counselors' meeting to assess our needs, our concerns, our issues and questions. From there we developed a plan to address the entire staff in a series of two, three-hour trainings. Ms. Lienert, along with her resource people, facilitated us through the AB 537 legislation language and helped us understand what it meant for our students, the staff, and our program. At the conclusion of those trainings we were offered follow-up visits and support.

As a staff we continued our own discussions to reach consensus on a variety of issues such as transgender student restroom use, how to address other students' curiosity, fears, and questions. We also talked about how to communicate with parents and effectively respond to their concerns, especially those parents that might question us for even "allowing those kinds of kids on our campus." Within our staff meetings we discussed various ways to support our LGBTQ youth and the choices they faced, as well as the decisions they were making. Moreover, we continued to process through our personal values and individual feelings. This independent work was a critical piece of the training because staff needed the time to move through their personal feelings to a place of support. We also realized that we lacked consistent policy and procedural guidelines for the students on campus.

We achieved a strong consensus that we needed additional time with Ms. Lienert and her group and accepted her offer for follow-up training into the 2001-02 school year. Those sessions included a review of the previous year's training, a direct question and answer session in response to specific concerns, clarification of campus procedures and policies, and a continuing discussion of our efforts to be supportive of our LGBTQ students. Small groups were formed to address specific areas of concern. One group met to review all of the issues involved with restroom access. We had initially decided to single out one bathroom for LGBTQ student access and tried that for a year. Upon review of the policy we decided that the initial policy was discriminatory and that restrooms should be returned to "Boys" and "Girls" designations. LGBTQ students would be allowed to use the bathroom of their choice, as long as they notified us of their decision and maintained that choice. This process allowed us to address the other students' concerns and provide appropriate staff supervision. Another group met to specifically focus on addressing questions that were coming from elementary students and parents. As we focused on the questions we were able to formulate sample answers that would address the question and also ensure individual privacy. Older student issues were addressed directly in their classes through group discussions. This is a particular luxury of our program in that the process

is directly built into the daily class routine so there was a forum for students to air their views. Parent calls and questions were addressed as they arose, either by teachers, counselors, or administration but with the same balance of a need for information with respect for individual privacy.

It should also be noted that the counseling staff met frequently with each of the LGBTQ students to review their rights and responsibilities while at school and to assure them that they had our support for their decisions.

In summary, the two years of training we received helped us strengthen our acknowledgement of LGBTQ students and fortified our efforts to treat them with the same respect and protections given all of our students. I am convinced that this allowed for a stronger sense of self to emerge in these students. I also believe that our student body responded with greater understanding and tolerance. We emerged from our training with a greater understanding and sensitivity, with a stronger conviction that what we generally felt needed to happen was, in fact, the right thing to do and was now supported through legislation. Despite our many individual opinions we were united in affirmation of our support and recognition for LGBTQ students.

On behalf of the Contra Costa County Office of Education, and the Marchus School staff and students, thank you for this opportunity to participate in these hearings.